

<p style="text-align: center;">Appendix A COMMITTEE TREASURER, DESIGNATED RECORD KEEPER AND DEPOSITORY</p>

COMMITTEE TREASURER

- The treasurer must be a qualified elector of Michigan.*
- The treasurer assumes legal responsibility for the committee.
- The treasurer is responsible for keeping the committee's accounts, records, bills, and receipts and must authorize all contributions received and expenditures made by the committee.
- The treasurer is responsible for the timely filing of Campaign Statements.
- The treasurer is responsible for responding in writing to all Notices of Error or Omission sent to the committee, and for timely payment of all late filing fees assessed the committee.
- The treasurer must sign the original and all amendments to the committee's Statement of Organization.
- The candidate of a candidate committee, other than a judicial candidate, may serve as treasurer.

*The treasurer of a PAC or Ballot Question must be a qualified elector of Michigan if the committee conducts business through an office or facility located in Michigan. A committee that wishes to have a treasurer who is not a Michigan resident is required to complete the "irrevocable written stipulation" on the Statement of Organization.

COMMITTEE RECORDKEEPER

- A committee may designate someone other than the committee treasurer as the person responsible for the committee's records and filings; commonly called the committee's "designated record keeper."
- Any person can serve as the committee's designated record keeper.
- A designated record keeper shares legal responsibility for the committee with the treasurer.
- A designated record keeper may sign the committee's Campaign Statements in place of the committee treasurer.
- A designated record keeper does **not** have the authority to sign the committee's Statement of Organization or any amended Statement of Organization filed by the committee except for providing the signature for electronic filing purposes.
- The candidate of a candidate committee, other than a judicial candidate, may serve as the record keeper.

COMMITTEE DEPOSITORY

- The committee's official depository must be a bank, savings and loan association or credit union located in Michigan.*
- All contributions received by a Committee must be deposited into the committee's "official depository" as identified on the committee's Statement of Organization.
- Funds in the committee's official depository can be transferred to an account in a Michigan bank, savings and loan, or credit union in order to earn interest. Such an account would be a "secondary depository" and must be identified on the committee's Statement of Organization if it is in a different financial institution than the official depository. The funds may be placed into a savings or share account or a certificate of deposit and must be transferred back to the official account before being spent.
- Committee funds may not be used to purchase commodities, stocks, bonds, mutual funds, or land contracts; or placed in money market accounts or in any type of brokerage account unless the firm is chartered as a bank.

*The committee's depository must be a bank, savings and loan association or credit union located in Michigan if the committee conducts business through an office or facility located in Michigan.

<p style="text-align: center;">Appendix B FILING INFORMATION</p>
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NUMBER OF CAMPAIGN STATEMENTS REQUIRED

The number of Campaign Statements required varies with each filing official. Please consult your filing official on the appropriate number of Campaign Statements required with each filing.

ENSURING TIMELY FILINGS

- Electronic filings must be transmitted and received by the Bureau of Elections before 5:00 p.m. on the due date.
- Paper filings and diskettes that are hand delivered or sent by first class mail must reach the Bureau of Elections before 5:00 p.m. on the due date. (The postmarked date is not used in this instance to determine the timeliness of the filing.) Committees must be sure to allow adequate mailing time when sending a filing by first class mail.
- A Statement of Organization, Annual Campaign Statement or a Post-Campaign Statement, a January 31 Triannual Campaign Statement, a January 31 Quarterly Caucus Committee Campaign Statement, an April 25 Triannual Campaign Statement or an April 25 Quarterly Caucus Committee Campaign Statement that is sent by *registered mail, certified mail or an overnight delivery service and postmarked **on or before** the filing deadline* will be accepted as a timely filing regardless of when it is delivered.
- A Pre-Election Campaign Statement, a July 25 Triannual Campaign Statement, a July 25 Quarterly Caucus Committee Campaign Statement, an October 25 Triannual Campaign Statement or an October 25 Quarterly Caucus Committee Campaign Statement that is sent by registered mail, certified mail or an overnight delivery service and postmarked **two or more days** before the filing deadline will be accepted as a timely filing regardless of when it is delivered.

REQUIREMENTS FOR ACCEPTABLE FILINGS

Paper Filings:

- A Campaign Statement, filed on paper, may not be accepted if it is illegible, does not bear a proper signature, is printed on paper that is not the proper size, or is not filed on paper forms provided by the Department of State or forms previously approved in writing by the department's Bureau of Elections. Please contact the Bureau of Elections for information and written approval of substitute forms before using them for a filing.
- A Campaign Statement, filed on paper, must be complete and accurate, and verified as such by the committee treasurer or designated record keeper. The Campaign Statement must be signed by the committee treasurer or designated record keeper. The designated record keeper may sign the statement in place of the committee treasurer.

Electronic Filings:

- Campaign Statements may be filed electronically using MERTS software or other privately purchased software that meets the file layout and format requirements of the Secretary of State. By using the MERTS software, a committee may file Campaign Statements over the Internet or by computer disk.
- Electronic filings must meet all specifications of the Department of State and must be filed in compliance with instructions provided by the Department. Please contact the Bureau of Elections for specifications and software format for electronic filing.
- The committee may obtain the MERTS filing software from the Bureau of Elections, free of charge, upon completion of a MERTS training class by the committee treasurer, designated record keeper or other person designated by the committee.
- The committee must have appropriate signatures on file and passwords issued before filing electronically with the Bureau of Elections.

<p style="text-align: center;">Appendix C THE REPORTING WAIVER</p>
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A Political Party Committee or Political or Independent Committee (PAC) that does not expect to receive or spend more than \$1,000.00 in a calendar year is eligible for a Reporting Waiver. **A Candidate Committee or Ballot Question Committee** that does not expect to receive or spend more than \$1,000.00 in an election is eligible for a Reporting Waiver. A committee that qualifies for, and receives, a Reporting Waiver is exempt from filing detailed Campaign Statements until it exceeds \$1,000.00 in receipts, expenditures or debt.

ELIGIBILITY FOR THE WAIVER : To become eligible for a reporting waiver, the committee must check Item 10 on its Statement of Organization. This tells the filing official that the committee does not expect to receive or spend more than \$1,000.00 in the calendar year or election as is applicable. The committee can check Item 10 on its original Statement of Organization or on an amended Statement of Organization. *A committee that does not check Item 10 on its Statement of Organization is not eligible for a Reporting Waiver.* This means that the committee must file all required Campaign Statements regardless of the amount spent or received. *A committee cannot amend its Statement of Organization to exempt itself from Campaign Statements that are past due.*

WHAT COUNTS AGAINST THE \$1,000.00 THRESHOLD?: Direct contributions, in-kind contributions, membership dues, expenditures and outstanding debt count toward the \$1,000.00 threshold. Funds left over in the committee's account at the end of the calendar year or election counts toward the "amount received" for the next calendar year or election.

LOSS OF THE WAIVER: The committee automatically loses its reporting waiver if it exceeds \$1,000.00 in receipts, expenditures or debt. If the Reporting Waiver is lost, the committee must file the next required Campaign Statement and all subsequent Statements until the Reporting Waiver is regained. The first Campaign Statement filed after the loss of a Reporting Waiver must begin with the day after the closing date of the last Campaign Statement that was waived. If the committee loses the Reporting Waiver and has never filed a Campaign Statement, the first Campaign Statement must begin with January 1 of the year in which the Reporting Waiver was lost. A committee that loses the Reporting Waiver is not required to amend its Statement of Organization to un-check Item 10. The filing official will change its records to show that the committee no longer has a Reporting Waiver when the committee files a Campaign Statement that shows that the committee has exceeded \$1,000.00 in receipts, expenditures or debt.

REGAINING THE REPORTING WAIVER: If, after filing the required Campaign Statement(s) the committee wishes to obtain another Reporting Waiver, it must amend its Statement of Organization (checking Item 10) to indicate to the filing official that the committee does not expect to receive or spend more than \$1,000.00 in the next calendar year or election. To regain the Reporting Waiver, the balance in the committee's account must be \$1,000.00 or less and the committee must have less than \$1,000.01 in debts. A late filing fee assessed a committee is a debt until paid. If a committee that loses its Reporting Waiver does not amend its Statement of Organization to obtain a new Reporting Waiver, the committee must file all required Campaign Statements regardless of the amount received or spent.

A COMMITTEE THAT HAS A REPORTING WAIVER IS NOT EXEMPT FROM KEEPING COMPLETE RECORDS OF THE COMMITTEE'S FINANCIAL ACTIVITY OR FROM FILING LATE CONTRIBUTION REPORTS.

<p style="text-align: center;">Appendix D ELECTRONIC FILING OF CAMPAIGN STATEMENTS STATE LEVEL COMMITTEES ONLY</p>
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PA 238 of 1999 requires committees registered under Michigan's Campaign Finance Act on the state level (i.e., registered with the Michigan Department of State's Bureau of Elections) to file their campaign finance reports electronically if the committee 1.) spent or received \$20,000.00 in the preceding calendar year, or 2.) expects to spend or receive \$20,000.00 in the current calendar year.

To assist you with the electronic disclosure requirement, a cost-free software program has been developed for use by your committee. Details concerning the software program are provided below. All committees that file with the Bureau of Elections are encouraged to file electronically even if the committee does not expect to meet the \$20,000.00 receipt/expenditure threshold explained above.

MERTS PLUS SOFTWARE REGISTRATION

The software developed by the State, commonly called Merts Plus (Michigan Electronic Reporting and Tracking System), is available to you free of charge. The software program includes a variety of features to assist with your campaign finance disclosure obligations:

- Permits submission of filings via the Internet or disk.
- Incorporates specially designed user-friendly data entry screens.
- Permits import and export of names and simple receipt and expenditure records.
- Includes an error detection message that informs the filer of missing information, excess contributions and other potential errors.
- Creates amendments that can be filed electronically.
- Provides a timed, automatic prompt for saving data.
- Provides immediate on screen notification confirming the receipt of the electronic filing when filed via the Internet.

To register for the software, simply fill out and file an original or amended Statement of Organization form that includes the electronic filing certified statement. Please take special care in filling out the *Electronic Filing* section and obtaining all of the applicable signatures.

Treasurers or designated record keepers that are responsible for several committees must submit a separate Electronic Filing registration for each committee; a single Electronic Filing registration *cannot* be used for multiple committees.

Current Merts Plus Users

If you are a current user of the software, please ensure that the signatures and verification statement on file for the committee are up-to-date.

Software Training

Committee members can take an on-line training course or can sign up for Merts Plus training in Lansing.

- To sign up for training, log on to www.mertsplus.com and click on “Training Sign-up” on the left hand side of the page. Training consists of a Power Point presentation given in Lansing that averages two hours.
- To take the on-line training, log onto www.mertsplus.com and click on the “ONLINE Training Sessions” on the left hand side of the page. Training consists of a Power Point presentation that average one-hour and a simple quiz. After completing the training, committees are given an opportunity to download the software and obtain a password to file via the Internet.

The software is not distributed to a committee unless and until a committee representative has completed the Merts Plus training.

If you do not have access to the Internet, you can sign up for training by contacting the Bureau of Elections at 517-373-2540.

After completing the training, Merts Plus Help Desk staff will be able to assist with any questions you may have. Phone: 703-749-4642. Questions can also be submitted via email through www.mertsplus.com.

Password to File Via the Internet

Committees that wish to file via the Internet are issued a password. After you have been trained, you can request a password via www.mertsplus.com. Simply click on “Password Assignment” on the left hand side of the page. Once the password has been issued, it does not expire and can be used for all of the Committee filings. Each committee wishing to file via the Internet must have its own password.

Requirements

You are encouraged to register and receive training as soon as possible. Once a committee meets the requirement to file electronically, all Campaign Statements from that point forward must be filed electronically. Late filing fees will be assessed for a report subject to the electronic filing requirement that is filed by some other means.

<p style="text-align: center;">Appendix E LATE FILING FEE WAIVERS AND HEARINGS</p>

LATE FILING FEE WAIVERS

The Department of State and the county clerks throughout the state have the authority to waive a late filing fee for reasons of incapacitating physical illness, hospitalization, accident involvement, death, incapacitation for medical reasons or other unique, unintentional factors beyond the filer's control not stemming from a negligent act or non-action. A request for a late filing fee waiver must be accompanied by documentation that supports the reason for the request. A filing official does **not** have the authority to waive a late filing fee for any of the following reasons:

- not receiving notice of the filing requirements;
- not being in town or picking up the mail;
- not being aware of the filing requirements;
- not knowing where to get forms; or
- sending the filing to the wrong office.

For further information on the provisions of the Campaign Finance Act that govern late filing fee waivers, contact the Michigan Department of State, Bureau of Elections, P.O. Box 20126, Lansing, Michigan 48901. Phone: (517) 373-2540.

LATE FILING FEE HEARINGS

The Campaign Finance Act holds treasurers and designated record keepers and candidates equally and severally liable for late filing fees. The Department of Treasury may take collection actions against the personal financial holdings of these individuals to bring the late filing fee account balance to zero. Collection actions by the Department of Treasury could include levy on wages, set-off against state income tax refunds or any other means at the Department of Treasury's disposal. Committees are urged to promptly pay late filing fees to avoid collection by the Department of Treasury, State Agency Collections Division.

Before a late filing fee is referred for collection, the committee will be notified of their right to request a hearing to contest the validity of any late filing fee. You must request a hearing in writing within 14 days after being notified of your right to request such hearing. If you request a hearing, it will be held in Lansing before a hearing officer authorized to decide whether the late filing fees were properly assessed, whether the waiver portions of the law apply, and related matters. Failure to request a hearing waives any rights you may have to a hearing.

A written request for a hearing must be sent to:

Michigan Department of State
Legal and Regulatory Services Administration
Treasury Building – 4th Floor
430 West Allegan Street
Lansing, MI 48918
Telephone: (517) 241-3463

Please note that if the debt is uncontested or if a ruling is entered at the hearing that the late filing fees are due, the committee's account will be assigned to the Michigan Department of Treasury for collection. When Treasury receives the account, the Michigan income tax refund of the committee treasurer, the designated record keeper and/or the candidate may be applied to this debt. Treasury may also levy on salary and wages or seize any money or other assets held by these individuals in order to collect on this debt.

To pay an unpaid late filing fee, send the remittance made payable to "State of Michigan" to:

Michigan Department of State
Bureau of Elections
P.O. Box 20126
Lansing, Michigan 48901

Write the committee's Campaign Finance Identification Number on the check or money order that is submitted for payment.

<p style="text-align: center;">Appendix F LATE CONTRIBUTION REPORTS</p>

The treasurer or designated record keeper of a Committee must report all “late contributions” received by the committee. A late contribution is any single contribution of \$200.00 or more received between the 15th and the 3rd day before the date of any election in which the committee participates.

- The filing official must receive a Late Contribution Report within 48 hours after the committee’s receipt of the contribution. The receipt date is not the date the check or other written instrument was written or the date the contribution was deposited into the committee’s bank account. A contribution is *received by a committee* on the date that the monetary funds, written instrument, or in-kind contribution of goods from the contributor have come into the *physical possession of the committee treasurer, designated record keeper or other person acting as an agent of the committee*.
- For purposes of reporting the receipt of a late contribution of an in-kind contribution of services, the in-kind contribution is considered to be *received by the committee on the date the committee treasurer, designated record keeper or other person acting as an agent of the committee receives verbal or written notice from the contributor that the contribution has, in fact, been made*.
- In addition to this Report, a late contribution must be included on the next Campaign Statement filed by the recipient committee. **A Reporting Waiver does not exempt a committee from filing Late Contribution Reports.**
- A Late Contribution Report must contain the date and amount of the contribution along with the contributor’s name, street address, occupation, employer’s name and principal place of business. The report is not made on Campaign Statement forms and may be made by fax, telegram or any other means of written communication. The fax number for the Bureau of Elections is (517) 241-4785. There is no Late Contribution Report form and the Report need not contain a signature and **may be filed on letterhead stationery or plain paper.**

Appendix G COMMITTEE TYPES

Candidate Committee is the committee designated in a candidate's filed Statement of Organization as that individual's Candidate Committee. A Candidate Committee is under the direction and control of the candidate. All money received or spent by a Candidate Committee is to be spent to further the nomination or election of that candidate or to pay expenses incidental to holding the elective office if the candidate is an officeholder. A Candidate Committee may not accept contributions from the treasury funds of a corporation, joint stock company, labor organization, domestic dependent sovereign, from a person holding an interest in one of the three casinos located in Detroit or from foreign nationals.

Political Committee (PAC) is formed to support one or more candidates and may also support or oppose ballot questions. A Political Committee may not accept contributions from the treasury funds of a corporation, joint stock company, labor organization, domestic dependent sovereign or from a person holding an interest in one of the three casinos located in Detroit. A Political Committee must observe the same contribution limits as an individual when making contributions to, or expenditures in support of, or in opposition to, the nomination or election of a candidate.

Two or more individuals acting together that receive or spend \$500.00 or more in a calendar year to influence voters must register as a Political Committee or as an Independent Committee (see below). Two or more individuals acting together that receive or spend \$500.00 or more in a calendar year to influence voters for or against the recall of a public official are required to register as a Political Committee.

Independent Committee (PAC) is formed to support one or more candidates and may also support or oppose ballot questions. An Independent Committee also may not accept contributions from the treasury funds of a corporation, joint stock company, labor organization, domestic dependent sovereign, from a person holding an interest in one of the three casinos located in Detroit or from foreign nationals.

An Independent Committee that meets the following three criteria may give a candidate for elective office ten times the amount a Political Committee or an individual is permitted to give the candidate.

1. registers as an Independent Committee at least six months before the election for which it expects to make expenditures at the maximum contribution limits in support of, or in opposition to, a candidate for nomination or election to an elective office;
2. receives contributions from at least 25 persons; and
3. in the same calendar year that the 25 contributions are received, expends funds to support or oppose three candidates for elective office. These three expenditures must not exceed the contribution limits applicable to an individual or a Political Committee. An Independent Committee must adhere to contribution limits applicable to a Political Committee until the committee meets all of the criteria listed above.

Please note: A committee that changes from a Political Committee to an Independent Committee must meet all criteria for an Independent Committee after filing the Amended Statement of Organization to make the change in committee type.

Corporations, labor organizations and Indian tribes that wish to make expenditures in candidate elections in Michigan may make expenditures for the establishment, administration and solicitation of contributions to a separate segregated fund to be used for political purposes. When the separate segregated fund has received or spent a total of \$500.00 in a calendar year to influence voters for or against the nomination or election of a state or local candidate in Michigan, or the qualification, passage

or defeat of a ballot question in Michigan, the fund has met the definition of “committee.” The “committee” must then file a Statement of Organization to register as a Political or Independent Committee within 10 calendar days after reaching the \$500.00 threshold.

Note: Political Committees and Independent Committees are commonly called “PACs”. A Political Party Committee is NOT a PAC.

Caucus Committee (PAC) is a “house political party committee” is an Independent Committee established by a political party caucus of the Michigan House of Representatives. A “senate political party committee” is an Independent Committee established by a political party caucus of the Michigan Senate. As of the writing of this manual, there are four caucus committees. Each major political party in the legislature may have one caucus committee in the Michigan House of Representatives and one caucus committee in the Michigan Senate.

Note: Independent Committees and Political Committees are both commonly referred to as “PACs” or Political Action Committees. Other names and labels are often applied to these types of committees, although the terms are not found in the Campaign Finance Act; e.g. Leadership PAC, Legislative PAC, Leadership Fund, Victory Fund, Majority Fund, Minority Fund, etc. All are either Political Committees or Independent Committees and must follow all the requirements of the Campaign Finance Act that are applicable to other Independent or Political Committees.

Ballot Question Committee is a committee that receives contributions and makes expenditures in support of, or in opposition to, the qualification, passage or defeat of a ballot question.

- A Ballot Question Committee is prohibited from making contributions or expenditures to influence the nomination or election of a candidate.
- A Ballot Question Committee is permitted to accept contributions from the treasury funds of a corporation, joint stock company, labor organization, domestic dependent sovereign or from a person holding an interest in one of the three casinos located in Detroit but may not accept money from foreign nationals.

Political Party Committee is a committee formed by a state central, congressional district, or county committee of a political party. Each state central committee designates one official county political party committee in each county, and one official congressional district political party committee in each congressional district. All Political Party committees file with the Bureau of Elections.

Appendix H
PUBLIC BODIES

(Use of Public Facilities, Fund, etc. Prohibited)

Section 57 of the Michigan Campaign Finance Act provides that a public body or an individual acting for a public body shall not use or authorize the use of funds, personnel, office space, property, stationery, postage, vehicles, equipment, supplies, or other public resources to make a contribution or expenditure or provide volunteer personal services to further the nomination or election of a candidate or the qualification, passage or defeat of a ballot question.

The prohibition does not apply to any of the following:

- The expression of views by an elected or appointed public official who has policy-making responsibilities.
- The production or dissemination of factual information concerning issues relevant to the function of the public body.
- The production or dissemination of debates, interviews, commentary, or information by a broadcasting station, newspaper, magazine, or other periodical or publication in the regular course of broadcasting or publication.
- The use of a public facility owned or leased by or on behalf of a public body if any candidate or committee has an equal opportunity to use the public facility.
- The use of a public facility owned or leased by or on behalf of a public body if that facility is primarily used as a family dwelling and is not used to conduct a fund raising event.
- An elected or appointed public official or an employee of a public body who, when not acting for a public body but is on his or her own personal time, is expressing his or her own personal views, is expending his or her own personal funds, or is providing his or her own personal volunteer services.

A public body is defined in the Act as one or more of the following:

- (a) A state agency, department, division, bureau, board, commission, council, authority, or other body in the executive branch of state government.
- (b) The legislature or an agency, board, commission or council in the legislative branch of state government.
- (c) A county, city, township, village, intercounty, intercity, or regional board; a council, school district, special district, or municipal corporation; or a board, department, commission, or council or an agency of a board, department, commission, or council.
- (d) Any other body that is created by state or local authority or is primarily funded by or through state or local authority, which body exercises governmental or proprietary authority or performs a government or proprietary function.

A person who knowingly violates this section of the Act is guilty of a misdemeanor punishable, if the person is an individual, by a fine of not more than \$1,000.00 or imprisonment for not more than 1 year, or both, or if the person is not an individual, by one of the following, whichever is greater:

- (a) A fine of not more than \$20,000.00.
- (b) A fine equal to the amount of the improper contribution or expenditure.

<p style="text-align: center;">Appendix I IDENTIFICATION REQUIREMENTS</p>

The Act requires all paid advertisements having reference to an election, a candidate or a ballot question to contain an identification statement and, if applicable, a disclaimer statement. *An individual other than a candidate is not subject to this provision if the individual is acting independently and not acting as an agent for a candidate or any committee.* The identification must be clear to the reader or listener and worded as follows:

- All printed matter having reference to a candidate, election or a ballot question, including yard signs, brochures, billboards, poll cards, fund raiser tickets, stationery, etc., must contain: “Paid for by” followed by the full name of the person or committee paying for the material and the person’s or committee’s street number or post office box, city or town, state and zip code.
- If the printed matter is an independent expenditure relating to a candidate that is not authorized in writing by the candidate, the printed matter must contain: “Paid for by (name and address of person, group or committee paying for the matter). Not authorized by any Candidate Committee.”
- The identification or disclaimer on printed material having reference to a candidate, or a ballot question must be in a place and in a print clearly visible to and readable by an observer. Any other medium used for campaign purposes shall clearly and unequivocally include the identification or disclaimer, or both.
- All paid political advertisements broadcast by television or radio having reference to a candidate election or ballot question shall identify the sponsoring person as required by the Federal Communications Commission, shall bear the name of the person paying for the advertisement, and shall be in compliance with the following:
 - (a) If the radio or television paid advertisement relates to a candidate and is an independent expenditure, the advertisement shall contain the following disclaimer:

“Not authorized by any candidate”
 - (b) If the radio or television paid advertisement relates to a candidate and is not an independent expenditure but is paid for by a person other than the candidate to which it is related, the advertisement shall contain the following disclaimer:

“Authorized by”
(Name of candidate or name of Candidate Committee)
- Except for a Candidate Committee’s printed matter or radio or television paid advertisement, each identification or disclaimer must also indicate that the printed matter or radio or television paid advertisement is paid for “with regulated funds”.

The identification requirements of the Act do not apply to videotapes produced by political candidates and cable cast on a public access channel if use of the public access video taping equipment and the public access time is free. The identification requirements only apply to paid political advertisements.

EXEMPTIONS

Certain items are exempt from the identification or disclaimer requirement due their size or difficulty of placement. Following is a listing of the exempted items:

aerial banners	ashtrays
badges & badge holders	balloons
bingo chips	bumper stickers (4" x 15" or smaller)
brushes	candy wrappers (1 ½" x 2 ½" or smaller)
buttons	cigarette lighters
campaign stickers (3" x 1 ½" or smaller)	clothing
clothes pins	coasters
cloth pot holders	cups
combs	earrings
drinking glasses	envelopes
emery boards	fortune cookie messages (1/2" x 2" or smaller)
erasers	glasses
frisbees	golf tees
golf balls	horns
hats	jar lid grippers (5" or smaller)
ice scrapers	knives
key rings	lapel pins/stickers
labels	matchbooks
magnifying glasses	nail files
nail clippers	paper & plastic cups
noisemakers	paper weights
paper & plastic plates	pennants
pencils	pens
pendants	plastic tableware
pinwheels	pot holders
pocket protectors	ribbons
refrigerator magnets	staple removers
shoe horns	sun visors
sun glasses	swizzle sticks
sweatshirts	t-shirts
whistles	wooden nickels (approx. size of 5-cent coin)
wooden rulers (12" or smaller)	
yo-yo's	

Any item not included in this list is not exempt from the Act's identification and disclaimer requirements, and must contain an identification statement, and if applicable, a disclaimer statement.

Committee Address Change

A committee that has filed an amendment to its Statement of Organization to show a change of committee address is not required to note the change of address on printed matter it previously purchased as long as the printed matter contains an identification statement that was correct at the time the printed matter was produced.

<p style="text-align: center;">Appendix J ELECTION PARTICIPATION BY OUT-OF-STATE GROUPS</p>
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Receipt of Out-Of-State Contributions: A committee registered under the Michigan Campaign Finance Act may accept contributions from out-of-state contributors. A statement must be included with any out-of-state contribution if the contributor is not an individual and the contributing group is not registered as a committee under the Act. The statement must include the date the contribution was made, the amount of the contribution, the full name and address of each person or committee contributing to the contribution and the occupation, employer and principal place of business of each person contributing \$100.01 or more of the contribution. The statement must also include language to the effect that the contribution involved was not made from an account containing funds provided by a corporation, joint stock company, labor organization, domestic dependent sovereign or any other source prohibited in Michigan. An officer of the contributing group or other contributing person must certify that the statement is true and correct.

A committee registered under the Act may not accept a contribution from an out-of-state group unless the statement is submitted with the contribution. Information from the statement must be included in the next Campaign Statement owed by the recipient committee.

Out-of-State Groups Covered by Campaign Finance Act: Michigan's Campaign Finance Act requires a group operating out-of-state to form and register a Michigan committee within 10 calendar days after it receives or spends \$500.00 or more in a calendar year to influence voters for or against the nomination or election of one or more candidates in Michigan or the qualification, passage or defeat of one or more ballot questions in Michigan. Contributions that apply toward the \$500.00 threshold include contributions to Candidate Committees as well as any contributions made to Independent, Political, Political Party and Ballot Question Committees.

To register, the committee must file a Statement of Organization form. After registering, the committee must file periodic Campaign Statements as required to disclose its political activity. A Political Party Committee that receives a contribution from an out-of-state group or organization is urged to advise them of the registration and reporting requirements of the Act.

Out-of-State Treasurer, Depository, and Office: The Michigan Campaign Finance Act (MCFA) allows an out-of-state committee to have a treasurer who does not reside in Michigan and a depository that is not located in Michigan if the committee does not conduct business through an office or facility located in Michigan. An out-of-state committee that has a treasurer who is not a Michigan resident must complete the "irrevocable written stipulation" on its Statement of Organization. The stipulation must agree that 1) any legal process affecting the committee which is served on the Secretary of State or an agent designated by the Secretary of State will have the same effect as if personally served on the committee and 2) that the appointment will remain in force as long as any liability of the committee remains outstanding in Michigan. The committee treasurer must sign the statement.

Itemization of Contribution and Expenditures: A Political Action Committee (PAC) registered under Michigan's Campaign Finance Act may not receive lump sum fund transfers from a "parent" committee registered under federal law or the laws of any other state. It may, however, receive itemized contributions. A Michigan PAC is commonly referred to as an "affiliate PAC" if it receives fund transfers from a "parent" committee registered under federal law or the laws of another state.

Itemized fund transfers received by an affiliate PAC from a parent committee may be disclosed under the Campaign Finance Act through the "Last-In-First-Out" (LIFO) accounting method or any other reasonable accounting method. Under the LIFO accounting method, the amount transferred is attributed to the most recent contributors to the account from which the funds were drawn. Persons designated as contributors of funds transferred into the affiliate PAC's depository need not reside in or be located in Michigan. However, they must be eligible under Michigan Law to contribute to the affiliate.

An out-of-state PAC that registers in Michigan and qualifies to keep its funds in an out-of-state depository is not required to have a separate account from which to make expenditures in Michigan. Expenditures to Michigan candidates, PACs, Political Party Committees or Ballot Question Committees may be made directly from the committee's out-of-state account and reported through the LIFO accounting method or any other reasonable accounting method. The campaign statement filed by the committee would itemize on the Receipts Schedule only the receipts (based on LIFO or any other reasonable accounting method) making up the expenditures made in assistance of, or in opposition to, Michigan candidates, committees, and ballot issues. The Expenditure Schedule would itemize only the expenditures made in assistance of, or in opposition to, the nomination or election of Michigan candidates, or the qualification, passage, or defeat of a Michigan ballot question. Therefore, the total amount of contributions reported on the Receipts Schedule will equal the total amount of expenditures reported on the Expenditure Schedule, and the Summary Page will reflect a zero ending balance.

Contributions received by a MCFA committee must conform with the requirements of Section 55 (6). Therefore, an out-of-state PAC or a federal PAC that collects automatic contributions, including through payroll deduction, must comply with the annual affirmative consent requirement for those funds that are used to make expenditures to support or oppose state and local candidates or ballot questions in Michigan. Contributions from individuals who have not provided annual affirmative consent may not be used.

Certification for Contributions Received on an Automatic Basis: A Candidate Committee, Political Party Committee, Independent or Political Committee shall not accept a contribution from an out-of-state committee which receives contributions on an automatic basis, including, but not limited to a payroll deduction plan, unless the contribution is accompanied by a statement certified as true and correct by an officer of the contributing person, with language to the effect that all contributions received on an automatic basis are in full compliance with Section 55. The certified statement must be provided to the recipient committee along with the contribution. The treasurer of the recipient committee must retain the certified statement in the committee's records.

The statement is not required if the out-of-state group making the contribution is registered as a committee under the Michigan Campaign Finance Act.

Appendix K
INDEPENDENT CONTRACTORS
Media Buyers and Other Vendors Purchasing Goods for the Committee

A Committee that contracts with an agent or an independent contractor to make expenditures on its behalf must disclose the expenditures made to and by the agent or independent contractor as detailed below.

- Agents and independent contractors typically employed by committees are: political consultants; public relations consultants; political consulting firms; public relation firms; media buyers; advertising agencies; and marketing firms.
- Services typically provided to Committees by agents and independent contractors are: purchasing radio and television time; producing radio and television spots; producing or purchasing still photographs; producing or purchasing printed materials; producing or purchasing buttons, hats, bumper stickers, and other campaign materials; conducting polls and surveys; purchasing mail lists; conducting direct mail activities; and employing temporary help.

Expenditures by Committee to An Agent or Independent Contractor

The total of each expenditure made by a Committee to an agent or independent contractor must be reported on the Itemized Expenditures Schedule of the campaign statement that covers the reporting period in which the expenditure was made.

Expenditures Made by An Agent or Independent Contractor on Behalf of Committee

In addition to the above, any expenditure made by an agent or independent contractor on behalf of a Committee must be disclosed with the campaign statement that covers the reporting period in which the expenditure was made if:

- 1) the expenditure is one that the committee would have made itself, or
- 2) the expenditure was made to a subcontractor supplying services to the agent or independent contractor.

To enable committees to meet this disclosure requirement, the Campaign Finance Act, MCL 169.243, requires agents and independent contractors working for a committee to provide the committee with a listing of the expenditures made on the committee's behalf. Agents and subcontractors are **not** required to provide an accounting of funds received from a committee that are taken as a profit or used to meet normal operating expenses. Expenditure listings supplied to a committee by an agent or independent contractor must list the name and address of each individual or business that received more than \$50.00 through a single expenditure or through a series of expenditures made by the agent or independent contractor during the campaign statement reporting period, the purpose and amount of each expenditure, and the date each expenditure was made. Single or cumulative expenditures of \$50.00 or less made by an agent or independent contractor to an individual or business during the campaign statement reporting period can be shown as a lump sum.

If the independent contractor sub-contracts the work to another person, itemization is also required from the sub-contractor to report the names and addresses, dates and amounts for expenditures made by the sub-contractor on behalf of the Committee.

<p style="text-align: center;">Appendix L DECLARATORY RULINGS AND INTERPRETIVE STATEMENTS</p>
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The Department of State responds to questions regarding the application of the Act by two methods:

- The most formal procedure is a Declaratory Ruling. A Declaratory Ruling is issued when a request for a Ruling concerns a specific, factual situation. A person who will be directly affected by the Ruling must make the request. The Ruling is binding on the Secretary of State and on the person requesting the Ruling unless modified or set aside by a court. A person requesting a Declaratory Ruling should:
 1. State that a Declaratory Ruling is being requested.
 2. Indicate the specific, existing set of facts involved.
 3. Cite, if known, the legal authority upon which the request is based.
- Less formal than a Declaratory Ruling is an Interpretive Statement. An Interpretive Statement is issued when a request for a Declaratory Ruling is not specific enough to warrant a Ruling or when a request concerns a hypothetical situation. Interpretive Statements are also issued when a request for information is received which is significant for the general public but does not come in the form required for a Declaratory Ruling. An Interpretive Statement does not have the force and effect of law and is merely explanatory. A person requesting an Interpretive Statement should state the question as specifically and clearly as possible.

The Campaign Finance Act requires that the Department of State observe the following timetable when a proper request for a Declaratory Ruling is received:

1. The Declaratory Ruling request is made available for public inspection within 48 hours after its receipt.
2. Written comments on the Declaratory Ruling request are accepted from interested parties up to 10 business days after the request is received.
3. A proposed response to the Declaratory Ruling request is made available for public inspection within 45 business days after the request is received.
4. Written comments on the proposed response to the Declaratory Ruling request are accepted from interested parties up to 5 business days after the proposed response is made available to the public.
5. The Declaratory Ruling is issued within 60 business days after the request for the ruling is received.

Under extenuating circumstances, the Department of State may extend the above timetable for 30 business days. A person who requests a Declaratory Ruling has the authority to waive the 60-day timetable.

Mail all requests for Declaratory Rulings and Interpretive Statements to:

Michigan Department of State
Legal and Regulatory Services Administration
Treasury Building – 4th Floor
430 West Allegan Street
Lansing, MI 48918
Telephone: (517) 241-3463

<p style="text-align: center;">Appendix M COMPLAINT PROCESS</p>

If you believe someone has violated the Michigan Campaign Finance Act (MCFA) you may file a written complaint with the Department of State. The complaint must include all of the following:

- Your name, address and telephone number.
- The alleged violator's name and address.
- A description in reasonable detail of the alleged violation, including the section or sections of the MCFA you believe were violated, an explanation of how you believe the MCFA was violated, and any other pertinent information.
- Evidence that supports your allegations.
- A certification that:
To the best of your knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of the complaint is supported by evidence.
- However, in addition, if after a reasonable inquiry under the circumstances, you are unable to certify that certain specifically identified factual contentions of the complaint are supported by evidence, you may also certify that:
To the best of your knowledge, information, or belief, there are grounds to conclude that those specifically identified factual contentions are likely to be supported by evidence after a reasonable opportunity for further inquiry.
- Your signature immediately after the certification or certifications.

If you wish to have your complaint considered, it must include all of the above information. The Department may dismiss your complaint if any item is not included, or if the complaint is determined to be frivolous, illegible, or indefinite. If the complaint is dismissed, both you and the alleged violator will be notified.

A form for filing a complaint may be obtained from the Bureau of Elections or on the Department's web site at <http://www.michigan.gov/sos/> and click on Elections in Michigan and then Publications and Forms.

The completed form should be sent to the following address:

Michigan Department of State
Legal and Regulatory Services Administration
Treasury Building – 4th Floor
430 West Allegan Street
Lansing, MI 48918
Telephone: (517) 241-3463

If your complaint meets the above requirements, the Department will notify the alleged violator that a complaint has been filed. The notification will include a copy of your complaint. The alleged violator will have an opportunity to file a response. You will have an opportunity to file a rebuttal to any response. You and the alleged violator will receive periodic reports about the actions taken by the Department concerning your complaint.

If the Department finds no reason to believe that your allegations are true, your complaint will be dismissed.

If the Department finds that there may be reason to believe your allegations are true, the Department must attempt to correct the violation or prevent further violations by informal methods such as a conference, conciliation, or persuasion, and may enter into a conciliation agreement with the alleged violator.

If the Department is unable to correct the violation or prevent further violations informally, an administrative hearing may be held to determine whether a civil violation of the MCFA has occurred, or the matter may be referred to the Attorney General for the enforcement of criminal penalties. An administrative hearing could result in the assessment of a civil penalty. Such a hearing would be conducted in accordance with the Michigan Administrative Procedures Act. An order issued as a result of such a hearing may be appealed to the appropriate circuit court.

WARNING: Section 15(8) of the MCFA (MCL 169.215) provides that a person who files a complaint with a false certification is responsible for a civil violation of the MCFA. Under section 15(14) of the MCFA (MCL 169.215), the Secretary of State may require a person who files a complaint with a false certification to:

- Pay the Department some or all of the expenses incurred by the Department as a direct result of the filing of the complaint.
- Pay the alleged violator some or all of the expenses, including, but not limited to, reasonable attorney fees, incurred by that person as a direct result of the filing of the complaint.
- Pay a civil fine of up to \$1,000.00.

<p style="text-align: center;">Appendix N REFERENCE INFORMATION</p>

ELECTRONIC FILING HELP DESK:

Merts Plus Helpdesk: 703-749-4642

Merts Plus Email: techsupport@nicusa.com

TAX QUESTIONS

Federal

For information on the following questions:

- Federal Withholding on Campaign Workers
- Independent Contractor Rules
- Federal filing and deposit requirements for payroll tax returns

To request assistance with preparation of a form, call **1-800- 829-1040**

Forms may be downloaded from the Internal Revenue Service website at <http://www.irs.ustreas.gov/> or call **1-800-829-3676** or visit the closest Internal Revenue Service Office.

- U.S. Income Tax Return for Certain Political Organizations
- Employer's Quarterly Federal Tax Return
- Employer's Annual Federal Unemployment Tax Return
- Wage and Tax Statement
- Request for a **Federal Employer Tax ID#**

State of Michigan

Michigan Department of Treasury **(517) 373-3190**. Questions regarding registration, filing, and deposit requirements for State of Michigan Income Tax Withholding for Campaign Workers

State Forms: 1-800-367-6263

- Concessionaire return (for one-time fund raising event) for remitting sales tax
- Sales, Use & Withholding Tax

OTHER QUESTIONS

- Michigan Department of Consumer and Industry Services **(517) 241-6470**. To determine if a potential contributor is registered as a corporation in Michigan. The information includes the name of the entity, date of formation, whether it has been dissolved, current resident agent and registered office, date of last annual report filed. http://www.cis.state.mi.us/bcs_corp/sr_corp.asp
- Michigan Bureau of State Lottery **(517) 335-5780**.
- Liquor Control Commission, Michigan Department of Consumer and Industry Services **(517) 322-1400**. To secure liquor license as well as information for fundraisers, receptions, events, etc. where alcohol may be served or sold. For information on posting campaign signs on buildings where alcohol is served or sold.